

## **MINUTES OF THE HOWARD COUNTY PLANNING BOARD – June 21, 2007 P.M.**

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Ramsey Alexander, Jr.

Members Absent: Linda Dombrowski; Gary Rosenbaum

DPZ Staff Present: Marsha McLaughlin; Roberta Jackson; Cindy Hamilton; Tanya Maenhart; Kent Sheubrooks

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### **Pre-Meeting Minutes**

The Board discussed attendance for the July 5<sup>th</sup> meeting. They stated that the special subject of the Rules of Procedures would be postponed until July 19<sup>th</sup> and requested that the draft rules of procedures be formatted to show rationale for the changes. The Board discussed the order of the agenda for the meeting.

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### **Minutes**

No minutes were voted upon.

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## **PUBLIC MEETING**

Ms. CitaraManis opened the public meeting at approximately 7:02 p.m.

## **SITE DEVELOPMENT PLANS**

### **ASDP-95-104, Village of River Hill – Paul and Lori DeSousa**

Presented By: Brenda Luber

Petition: For approval of an amended Site Development Plan to allow a 5.5' encroachment into the 7.5' side and rear setbacks for the construction of a 6' x 8' shed on 0.16 acres of land zoned New Town, Single Family Low Density land use, located at the southern terminus of Gentle Light Lane, in the Fifth Election District of Howard County.

DPZ Recommendation: Approval

Petitioner's Representative: Paul DeSousa

Ms. Luber gave an overview of the request stating that the petitioner only had one option for placement of a shed into the setbacks due to existing environmental features on the subject parcel.

Mr. DeSousa explained in detail the topography of his back yard, which was the reason for the placement of the shed in the existing side and rear setbacks. He also stated that the Village of River Hill's Village Board asked for additional screening, once the shed was in place.

Ms. CitaraManis stated for the record that she is a member of the Village of River Hill Village Board and that she does not personally know Mr. DeSousa.

### **Motion:**

Mr. Alexander moved to approve ASDP-95-104 and Mr. Grabowski seconded the motion.

### **Discussion:**

Mr. Grabowski stated that the request does not alter the character of the neighborhood.

Ms. CitaraManis stated that the shed is similar to others in the neighborhood and that it didn't impact the adjacent property.

**Vote:**

3 Yea 0 Nay. The Motion was carried.

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## FINAL DEVELOPMENT PLANS

### FDP-76-A-III Village of Wilde Lake

Presented By:	Tanya Maenhardt
Petition:	For approval of an amended Final Development Plan, FDP-76-A-III, to amend credited and non-credited open space tabulations, to amend building coverage restrictions with respect to open space land uses, to amend setback and parking requirements in Sections 6 and 9 and to amend coordinate data on Sheets 1 and 3. These revisions would affect the Village of Wilde Lake, Section 10, Area 4 consisting of 10.00 acres. The FDP area is located at the intersection of Twin Rivers Road and Trumpeter Road in the 5 <sup>th</sup> Election District of Howard County.
DPZ Recommendation:	Approval
Petitioner's Representative:	Dave Carney, Esq.

Ms. Maenhardt gave a brief overview of the request to amend an existing Final Development Plan in order to allow current users to expand and build a second building on the site.

Father Tilghman, Pastor of St. John Catholic Church, one of the current residents of the Interfaith Center stated that his congregation currently shares space with St. John United Methodist Presbyterian Church. He explained that each congregation would like their own worship space and creating a second building on the site would allow for that. He also explained that agreements between the churches and the Interfaith Center are based on the condition that their request for 25% lot coverage is approved.

Ms. CitaraManis asked how many churches use the Interfaith Center. Father Tilghman stated that up until 1997 there were four churches in the Interfaith Center, but as the Churches grew, they needed to move due to space constraints. He also stated that other churches use the Interfaith facilities for other purposes.

Richard Bass, Pastor of the St. John United Methodist Presbyterian Church spoke in support of the FDP amendment. He stated that in looking at the Rouse Archives, the original plan was to build several buildings on the interfaith site, however for economical reasons in the 1960's that did not happen. He stated that there the Church has a strong commitment to stay in Downtown and that the Center has a good relationship with Wilde Lake High School to share parking.

Ms. CitaraManis questioned the size of the congregations as well as timing of services for each Church. Pastor Bass stated that the Protestant congregation is smaller than the Catholic congregation and that Churches have services at the same time. He also stated that the new building will house the same number of seats as the Church currently uses in the Interfaith Center and that it will allow the Protestant congregation to have their own educational classrooms and fellowship hall.

Ms. CitaraManis questioned the need for 25% lot coverage and Pastor Bass explained that the Center was told by the engineers that they would need 25% in order to accomplish their goals.

Mr. Alexander questioned whether or not there would be adequate parking and Pastor Bass stated that there is adequate parking with overflow parking at the adjacent high school. Pastor Bass explained that parking

agreements with the Board of Education and Kimco already exist, but would need to be updated if an additional building is built.

Mr. Carney explained that no new seats are being added, only a new building and that currently the Site Development Plan for the building is before the Village Board.

Mr. Vince Marando of 10510 Williamtell Lane spoke as an individual and not as a representative of the Village Board. Mr. Marando stated his concerns that the Village Board has not had a chance to review the plans yet and that the Village Center is currently uncertain about future plans at this time. He also stated that he was not opposed to the new building, but concerned about adequate parking as well as the 25% lot coverage due to the uncertainty of developing the Village Center.

Mr. Carney explained that there is adequate parking using the adjacent high school parking lots and there would not be a need to use the Village Center parking.

Robert Jenkins, Director of Engineering for Howard Research and Development Corporation spoke in support of the amendment stating that times change over the years and that the original lot coverage of 10% was adequate when it was first put in place. He further stated that the population in Columbia has increased and that site plans must go through the Planning Board and the Village Board before they can be approved.

Mr. Alexander asked when the 10% lot coverage rule was last evaluated. Ms. McLaughlin stated that in the past it was typical for a church to relocate when they had outgrown their space. She also stated that in the NT zoning the only way to change the regulations is through the final development plan process.

**Motion:**

Mr. Alexander moved to accept staff's recommendation as written for FDP-76-A-III. Mr. Grabowski seconded the motion.

**Discussion:**

Mr. Grabowski stated that the proper steps were taken by the Interfaith Center and that they had a well thought out plan. He also stated that the parking issues would be looked at during the site development plan phase.

Ms. CitaraManis stated that the Center has a master plan, which enables the Board to see future plans. She also stated her concerns that everyone will want to increase lot coverage, but that the Board will look at on a case to case basis.

**Vote:**

3 Yea 0 Nay. The motion was carried.

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**ZONING REGULATION AMENDMENTS**

**ZRA 85 – Dorsey Family Homes**

Presented By:	Zan Koldewey
Petition and Location:	Zoning Regulation Amendment to amend Section 128.G of the zoning regulations to add a provision for traditional residential neighborhoods in or within 2000 feet of a historic district.
DPZ Recommendation:	Approval
Petitioner's Representative:	Joe Rutter

**ADDENDUM TO ZRA 85 – Greenebaum and Rose, Inc.**

Presented By: Zan Koldewey  
Petition and Location: Zoning Regulation Amendment to amend two subsections of Section 128.G. of the Zoning Regulations to add a provision to allow property in the R-ED district to be developed as a traditional residential neighborhood while still honoring the intent of the R-ED district to preserve environmental areas, and to add a provision to allow for flexibility in frontage and the location of off-street parking and garages.  
DPZ Recommendation: Approval of amendments A and B with modifications  
Petitioner's Representative: Richard Talkin, Esquire

Ms. Koldewey gave an overview of the request to amend the zoning regulations to add a provision for traditional residential neighborhoods in or within 2000 feet of historic districts. She explained that the amendment would reduce setbacks and allow greater flexibility in design.

Ms. CitaraManis questioned the reduction from 20% to 5% for small formal open spaces. Ms. Koldewey explained that typical R-ED site plans have very unusual layouts due to topography issues and the reduction would allow greater flexibility.

Joe Rutter of Land Design and Development spoke in support of the amendment stating that the amendment was created due to a property along College Avenue and the Board's concern regarding the proximity of the site to a scenic road. He also stated that this amendment is another tool that can be used by developers to fit projects within existing communities.

Mr. Richard Talkin, representing Greenebaum and Rose explained that TRN is not used a lot and that they try to minimize disturbance on the sites. He also stated that R-ED has the highest open space requirement in the County, and yet the concept is to do good design and preserve as much of the environmental areas as possible. Mr. Talkin stated that he had no objections to the modifications proposed by staff.

**Motion:**

Mr. Grabowski moved to approve the Technical Staff report for ZRA 85 as written. Mr. Alexander seconded the motion.

**Discussion:**

Mr. Grabowski stated that the amendment was a good use for the historic areas.

Mr. Alexander stated that TRN zoning fits well in the historic districts.

**Vote:**

3 Yea 0 Nay. The motion was carried.

**ADDENDUM:**

**Amendment A**

**Motion:**

Mr. Alexander moved to accept the recommendations of the staff of amendment A. Mr. Grabowski seconded the motion.

**Discussion:**

Mr. Grabowski stated that the legislation is appropriate due to the topography of most of the R-ED sites.

Ms. CitaraManis stated her concerns that the language is too open-ended and that the word "some exceptions" needed to be more specific. She recommended modified language.

In the RED district some exceptions for garage locations may be approved if required to accommodate environmental, historic, or scenic resources.

**Vote:**

3 Yea 0 Nay. The motion was carried.

**Amendment B:**

**Motion:**

Mr. Grabowski moved to approve amendment B as modified by staff. Mr. Ramsey seconded the motion.

**Discussion:**

Mr. Grabowski stated he was in favor of the amendment.

Mr. Alexander agreed with Mr. Grabowski.

Ms. CitaraManis questioned language regarding alternate frontage and suggested modified language.

**Vote:**

3 Yea 0 Nay. The motion was carried.

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**ZRA 84– Veli Demirel**

Presented By:	Bob Lalush
Petition and Location:	Zoning Regulation Amendment to Section 103.A of the Definitions section to add a new definition for the term “School, Business”; to Section 117.3.B. of the OT District section to revise the requirements for site frontage and access; to Section 117.3.C. to add “Business School” as a use permitted as a matter of right in the OT District; to Section 117.3.E. to increase the maximum parcel size for an OT District to 2.5 acres; and to Section 117.3.G. to revise the standards for approval of an OT District petition to increase the maximum building size and to add density and setback requirements intended to apply to Business School uses.
DPZ Recommendation:	Approval, with major revisions
Petitioner’s Representative:	Dave Carney, Esq.

Mr. Lalush gave a brief overview of the request for several amendments to the Howard County Zoning Regulations in order to operate a Business School in an OT District. He also explained the revisions that the Department would require in order to approve the amendment.

Mr. Carney stated that the Petitioner is in agreement with most of the revisions made by staff. He explained that the Petitioner currently owns a hair salon on St. John’s Lane and would like to relocate onto a parcel he owns on Frederick Road as well as add additional services to the salon, such as cosmetology classes. Mr. Carney stated that the site for the proposed plan was rezoned during Comp Lite and is not suitable for residential due to the heavy volume of daily traffic. He requested that the impervious surface requirement be reduced to 40% and that the ratio is revised to 30 pupils per acre instead of 20 students per acre. Mr. Carney explained that the reasoning behind the request is due to the parcel’s unusual topography.

Ms. CitaraManis asked for clarification regarding the request to change from 5,000 square feet to 7,000 square feet. Mr. Demirel, Petitioner, explained that he would like to get 7,000 square feet because he doesn’t know if he can accomplish his goals within the restraints of 5,000.

Mr. Lalush commented on the requests by Mr. Carney stating that the 20ft setback would be fine because it would still need to be approved by the Zoning Board. Ms. McLaughlin stated that she would not be in favor of

the request for a change in impervious surface on the property. She stated that if the change were to be made to 60% the Department would probably require a lot of landscape buffering. Ms. CitaraManis stated her concern of adding impervious surface would not really be a transition from the businesses across the street.

**Motion:**

Mr. Alexander moved to approve ZRA 84 as amended by the Petitioner. Mr. Grabowski seconded the motion.

**Discussion:**

Mr. Alexander said he agreed with the Petitioner's request for an increase in the impervious surface as well as the request for 30 students per acre.

Mr. Grabowski stated that 60% impervious surface would be too much as a transition to residential. He also stated that he did not agree with increasing to 30 students per acre.

Ms. CitaraManis stated her belief that 60% would be too much and 30 students per acre would be too much given the subject parcel would be transitioning between commercial and residential.

**Vote:**

1 Yea, 2 Nay. The motion was not approved with only Mr. Alexander approving and Ms. CitaraManis and Mr. Grabowski in opposition.

**Motion:**

Mr. Grabowski moved to accept the staff recommendations on ZRA 84, as well as recommend the setback be at 20 feet. Mr. Alexander seconded the motion.

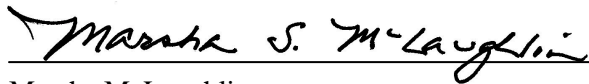
**Vote:**

3 Yea, 0 Nay. The motion was carried.

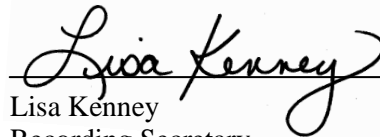
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THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 11:35 P.M.



Marsha McLaughlin  
Executive Secretary



Lisa Kenney  
Recording Secretary